



THOMAS R. CURTIN  
U.S. DISTRICT COURT

SEP 2 2 10

THOMAS R. CURTIN  
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September 2, 2007

**BY HAND DELIVERY**

Clerk  
United States District Court  
for the District of New Jersey  
Dr. Martin Luther King, Jr.  
Federal Building and U.S. Courthouse  
50 Walnut Street  
Newark, New Jersey 07102

08cv 4369(JLL)

Re: *ACE American Insurance Company, et al.*  
*v. Wachovia Insurance Agency, Inc., et al.*

Dear Sir or Madam:

This firm, along with O'Melveny & Myers LLP, represents plaintiffs in connection with the referenced matter, which is being initiated today via the filing of a Verified Complaint. In conjunction with this filing, our client is also seeking emergency relief pursuant to Local Civil Rule 65.1 and Fed.R.Civ.P. 65.

Enclosed for filing in this connection please find the original and five (5) copies of each of the following documents:

- (1) Verified Complaint;
- (2) Civil Cover Sheet;
- (3) Corporate Disclosure Statement;
- (4) Forms of Summonses to be issued by the Clerk;
- (5) Notice of Application For Emergency Relief;



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- (6) [Proposed] Order To Show Cause With Temporary Restraints;
- (7) Memorandum Of Law In Support Of The Application of Plaintiffs For A Temporary Restraining Order And Their Motion For A Preliminary Injunction;
- (8) Declaration of David Lupica; and
- (9) Declaration of Maria Roman.

I have enclosed my firm's check in the amount of \$350 to cover the filing fee. A CD-ROM containing pdf copies of all the above documents is also enclosed.

On Tuesday, September 2, 2008, our co-counsel, O'Melveny & Myers LLP, provided notice by e-mail and telephone to defendants' counsel of the filing of this action and of plaintiffs' intention to apply today for an Order to Show Cause With Temporary Restraints pursuant to L.Civ.R. 65.1 and Fed.R.Civ.P. 65. Electronic copies of the above papers are being e-mailed to defendants' counsel and paper copies will be hand-delivered to counsel appearing in court on defendants' behalf. Paper copies are also being mailed to each defendant.

Please assign a Civil Action Number to this proceeding and advise us to which Judge the matter is being assigned. We request an opportunity to present our papers to the Judge today in order to request entry of the Order to Show Cause With Temporary Restraints and obtain an early return date for the show cause hearing.

Kindly stamp the date and fact of filing upon one set of the enclosed papers and return them to the bearer of this letter. Thank you for your assistance.

Very truly yours,

THOMAS R. CURTIN



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TRC/ljl  
Enclosures

cc: Eric M. Fogel, Esq. (w/encs.) (by e-mail and hand-delivery)  
Stephanie Reckord, Esq. (w/encs.) (by e-mail and hand-delivery)  
Wachovia Insurance Agency, Inc. (w/encs.) (by regular mail)  
Scottsdale Insurance Company (w/encs.) (by regular mail)  
Paul R. Koepff, Esq. (w/encs.)